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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 THOMAS SIPAN, individually,)
11) 2:19-cv-00604-RFB-DJA
12 Plaintiff,)
13 vs.)
14 STATE FARM MUTUAL AUTOMOBILE) **STIPULATION AND ORDER TO EXTEND**
15 INSURANCE COMPANY, individually, DOES I-) **DISCOVERY DEADLINES**
X, and ROE CORPORATIONS I-X,) **THIRD REQUEST**
16 Defendants.) ***SCHEDULING CONFERENCE**
17) **REQUESTED***
18 _____

19 Plaintiff, THOMAS SIPAN, by and through his attorneys, PAUL D. POWELL, ESQ.,
20 MICHAEL A. KRISTOF, ESQ., JUSTIN W. WUILSON, ESQ. of THE POWELL LAW FIRM, and,
21 Defendant, STATE FARM MUTUAL AUTOMOBILE INSURANCE COMPANY, by and through its
22 attorney, BENJAMIN J. CARMAN, ESQ., of the law firm CARMAN COONEY FORBUSH PLLC,
23 and, hereby stipulate and agree to continue the discovery dates in this matter and request that the court
24 enter a new Discovery Scheduling Order containing said agreed-upon dates.

25 **A. STATEMENT SPECIFYING THE DISCOVERY COMPLETED**

26 1. Defendant served its Initial Disclosures pursuant to LR 26-1 and FRCP 26(a)(1) on
27 August 20, 2019.

1 2. Plaintiffs served her Initial Disclosures pursuant to LR 26-1 and FRCP 26(a)(1) on July
2 26, 2019.

3 3. Plaintiff served her First Set of Requests for Admission, First Set of Interrogatories, and
4 First Set of Requests for Production of Documents on September 9, 2019.

5 4. Defendant served its Responses to Plaintiff's First Set of Requests for Admissions, First
6 Set of Interrogatories, and First Set of Requests for Production of documents on October 28, 2019.

7 5. Defendant served an Amended Notice of Taking the Deposition of Plaintiff on December
8 17, 2019.

9 6. Defendant served its First Set of Requests for Admission, First Set of Requests for
10 Production of Documents, and First Set of Interrogatories on July 24, 2019.

11 7. Plaintiff served her Responses to Defendant's First Set of Requests for Admission, First
12 Set of Requests for Production of Documents, and First Set of Interrogatories on December 17,
13 2019.

14 8. State Farm has obtained numerous sets of medical records from various healthcare
15 providers identified by Mr. Sipan, both in Nevada and in Arizona.

16 **B. A SPECIFIC DESCRIPTION OF THE DISCOVERY THAT REMAINS TO BE
17 COMPLETED:**

18 1. Deposition of Plaintiff THOMAS SIPAN;

19 2. Deposition of Defendant Person Most Knowledgable of STATE FARM MUTUAL
20 AUTOMOBILE INSURANCE COMPANY;

21 3. Deposition of Dr. Lyle Young, M.D. (scheduled for March 17, 2020, in Arizona)

22 4. Deposition of Laurie Robinson (pending for a date in March, 2020, in Arizona)

23 5. Disclosure of Plaintiff's Experts:

1 6. Disclosure of Defendant's Experts:

2 7. Depositions of Plaintiff's Experts:

3 8. Depositions of Defense Experts:

4 9. Depositions of the Person Most Knowledgeable from Plaintiff's medical providers

5 relevant to treatment rendered to Plaintiff since the date of this

6 accident;

7 10. Obtain significant records related to Plaintiff's current treatment and condition;

8 11. Any other discovery which may be determined as relevant and necessary by the parties;

9 **C. THE REASONS WHY THE DISCOVERY REMAINING WAS NOT COMPLETED**

10 **WITHIN THE TIME LIMITS SET BY THE DISCOVERY ORDER:**

11 Upon information and belief, Plaintiff is currently hospitalized as a result of his
 12 psychological condition. He is severely suicidal, and unable to leave the facility he's being housed
 13 at. Plaintiff is difficult to contact and is in no condition to presently participate in this litigation.
 14 State Farm had previously set Mr. Sipan's deposition for early January, but had to take it off
 15 calendar given the nature of Mr. Sipan's condition and lack of availability.

16 Consequently, Plaintiff's mother is attempting to become his legal guardian. Upon
 17 information and belief, there is a hearing in Arizona Superior Court to address this issue set for the
 18 middle of March.

19 By extending discovery, the parties will have sufficient time to address further developments
 20 to Plaintiff's situation accordingly. The following is a list of current discovery deadlines and the
 21 parties' proposed extended deadlines.

22 **D. A PROPOSED SCHEDULE FOR COMPLETING ALL REMAINING DISCOVERY**

23 **Scheduled Event**

24 **Current Deadline**

25 **Proposed Deadline**

1	Discovery Cut-Off	04/27/2020	10/27/2020
2	Initial Expert Disclosures	02/27/2020	08/27/2020
3	Rebuttal Expert Disclosure Pursuant to FRCP 26(a)(2)	03/27/2020	09/27/2020
4	Dispositive Motions	05/27/2020	11/27/2020
5	Pre-Trial Order	06/29/2020	12/29/2020
6			
7			

8 **E. THE CURRENT TRIAL DATE**

9 A jury trial date has not been set.

10 **F. SAID REQUEST IS NOT BEING MADE FOR THE PURPOSES OF UNDULY
11 DELAYING DISCOVERY OR THE TRIAL IN THIS MATTER.**

12 **SO AGREED.**

13 DATED this 28th day of February, 2020.

14 THE POWELL LAW FIRM

15 CARMAN COONEY FORBUSH PLLC

16 By: /s/ Paul D. Powell

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24 By: /s/ Benjamin Carman

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27 Las Vegas, Nevada 89119

28 Attorney for Defendant

22 **ORDER**

23 IT IS SO ORDERED:

24 IT IS FURTHER ORDERED that should the parties wish the Court to conduct a scheduling
25 conference as suggested in the title of this stipulation, the parties shall file a stipulation and
26 order setting forth the reasons for such a conference.

27 DATED: March 2, 2020.

28


Daniel J. Albregts
United States Magistrate Judge